



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: Chernyshev, Olga N.  
)  
Avi ASHKENAZI, et al. ) Art Unit: 1646  
)  
Application Serial No. 09/905,075 ) Attorney's Docket No. 39780-1618 P2C5  
)  
Filed: July 13, 2001 ) Customer No. 35489  
)  
For: **PRO211 POLYPEPTIDES** )  
)

**EXPRESS MAIL LABEL NO. EL 976 543 911 US**  
**DATE MAILED: NOVEMBER 18, 2004**

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

The enclosed NCBI citations document submitted with the present Supplemental Information Disclosure Statement was cited in the first examination report dated February 3, 2003 for the related European patent application No. 01127793.6. We recognize that the identification of this in the enclosed form PTO-1449 does not comply with the formal requirements under 37 C.F.R. §1.97 and §1.98, however we request consideration of the NCBI document and an indication from the Examiner that the document has been considered.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)

-- OR --

- ☐ (2) It is being filed within 3 months of entry of a national stage  
- OR -
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided; or
- ☐ a fee of **\$180.00** as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of **\$0.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-1618 P2C5).**

Respectfully submitted,

Dated: November 18, 2004

By: Leslie Mooi  
Leslie Mooi (Reg. No. 37,047)

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<b>INFORMATION DISCLOSURE STATEMENT</b>  <b>PTO-1449</b>			<b>ATTY. DOCKET NO.:</b> <b>39780-1618 P2C5</b>		<b>SERIAL NO.:</b> <b>09/905,075</b>		
			<b>APPLICANT : Avi ASHKENAZI, et al.</b>				
			<b>FILING DATE: July 13, 2001</b>		<b>GROUP: 1646</b>		
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAMINER'S INITIALS</b>	<b>PATENT NO.</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE</b>	
<b>FOREIGN PATENT DOCUMENTS</b>							
<b>EXAMINER'S INITIALS</b>	<b>PATENT NO.</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>	
						<b>YES</b>	<b>NO</b>
	WO 99/14327	3/25/1999	PCT	C12N	15/12	<input type="checkbox"/>	<input type="checkbox"/>
	WO 00/15796	3/23/2000	PCT	C12N	15/12	<input type="checkbox"/>	<input type="checkbox"/>
	WO 00/21996	4/20/2000	PCT	C07K	14/47	<input type="checkbox"/>	<input type="checkbox"/>
	WO 00/55319	9/21/2000	PCT	C12N	15/12	<input type="checkbox"/>	<input type="checkbox"/>
	WO 01/05836	1/25/2001	PCT	C07K	16/18	<input type="checkbox"/>	<input type="checkbox"/>
	WO 00/53753	9/14/2000	PCT	C12N	15/12	<input type="checkbox"/>	<input type="checkbox"/>
	WO 0104311	1/18/2001	PCT	C12N	15/12	<input type="checkbox"/>	<input type="checkbox"/>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	Hyman, Elizabeth, et al., "Impact of DNA Amplification on Gene Expression Patterns in Breast Cancer" <sup>1,2</sup> , <i>Cancer Research</i> 62 6240-6245, November (2002).						
	Orntoft, Torben F., et al., "Genome-wide Study of Gene Copy Numbers, Transcripts, and Protein Levels in Pairs of Non-Invasive and Invasive Human Transitional Cell Carcinomas", <i>Molecular &amp; Cellular Proteomics</i> 1:37-45, (2002).						
	Pollack, Jonathan R., et al., "Microarray analysis reveals a major direct role of DNA copy number alteration in the transcriptional program of human breast tumors", <i>PNAS</i> Vol.99, 20:12963-12968, October (2002).						
	NCBI, Nucleotide-nucleotide BLASTS, Accession Numbers 1-500 and 1-253, pp 1-76.						
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.